

## **EXHIBIT A**

CITY COURT  
CITY OF NEW ROCHELLE  
COUNTY OF WESTCHESTER

17-0190

FAMILY OFFENSE-MISDEMEANOR INFORMATION

THE PEOPLE OF THE STATE OF NEW YORK

-against-

GIOVANNI RIVERA 203 Ramapo Rd., Apt. B, Garnerville, NY 10923

04/26/1981

Defendant(s)

Be it known that the complainant herein Det. Gerialis, of the City of New Rochelle Police Department, Westchester County, New York, accuses the defendant(s) named above of the following offense(s) committed at Main St. & Locust Ave., City of New Rochelle, New York at about Jan. 26, 2017 at approx. 11:00 am.

**COUNT ONE** : The Offense of MENACING IN THE SECOND DEGREE, a violation of Penal Law PL1201400AM2

**COUNT TWO** : The Offense of ASSAULT IN THE THIRD DEGREE, a violation of Penal Law PL1200001AM3

**COUNT THREE** : The Offense of HARASSMENT 2ND- PHYSICAL CONTACT, a violation of Penal Law PL2402601 V2

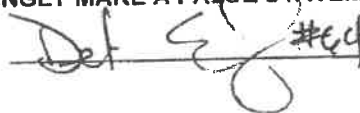
The Defendant(s) at the above date, time and place did intentionally placed or attempted to place another person in reasonable fear of physical injury, serious physical injury or death by displaying a deadly weapon, dangerous instrument or what appears to be a pistol, revolver, rifle, shotgun, machine gun or other firearm. The Defendant(s) at the above date, time and place did with intent to cause physical injury to another person, cause such injury to such person or to a third person. The Defendant(s) at the above date, time and place did with intent to harass, annoy or alarm another person, strike, shove, kicks or otherwise subject such other person to physical contact, or attempts or threatens to do the same.

To wit: The defendant(s) at the above date, time and place, did with the intent to place Omayra Rodriguez in reasonable fear of death, serious physical injury or physical injury, did display a handgun to her, placed it in her mouth and stated "If I can't have you, no one can!" The defendant then, acting with the intent to cause her physical injury and with the intent to harass, annoy or alarm her, did punch her in the face with a closed fist causing her to feel substantial pain as well as suffer a laceration and swelling to her lip.

The above allegation(s) of fact are made by the complainant herein on direct knowledge (and upon information and belief), with the source(s) of complainant's information and the grounds for his or her belief being the attached deposition of Omayra Rodriguez.

**NOTICE: PURSUANT TO THE PENAL LAW, SECTION 210.45, IT IS A CRIME PUNISHABLE AS A CLASS A MISDEMEANOR TO KNOWINGLY MAKE A FALSE STATEMENT HEREIN.**

February 14, 2017

Def.  #64

Signed